

**TERMS OF REFERENCE**  
*of the*  
**ANTI-HUMAN TRAFFICKING**  
**INTER-MINISTERIAL COMMITTEE**

1. Background

- 1.1 Article 19 of *Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims* (the “Directive”) obliges Malta to establish a national rapporteur or equivalent mechanism with the tasks of:
- a. Assessing trends in trafficking in humans beings (THB);
  - b. Measuring results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organisations active in this field; and
  - c. Reporting.
- 1.2 It is hereby being recognised that a thorough understanding of the nature and extent of THB in Malta, the evaluation of the effectiveness and impact of Government policies and actions, and the presentation of actionable recommendations can only be achieved through an interdisciplinary approach involving all relevant Governmental Stakeholders. For such reasons, this Anti-Human Trafficking Inter-Ministerial Committee (**IMC**) is being established to serve such purposes, be composed, and operate in the manner as laid out in these Terms of Reference (**ToR**).

2. Objectives of the Anti-Human Trafficking Inter-Ministerial Committee

- 2.1 The Human Rights Initiatives Unit (**HRIU**) of the Human Rights Directorate (**HRD**) within the Ministry for Home Affairs, Security, Reforms and Equality (**MHSR**) is tasked with THB related gathering, sharing, and reporting of data, coordination and collaboration, consultation, policy proposals, streamlining, and awareness-raising. The objective of this IMC is to serve the leading MHSR as a mechanism for the Communication Plan emerging from the Technical Support

Instrument (**TSI**) Project for the coordination, drafting and implementation of the National Strategy and Action Plan on matters related to Trafficking in Human Being. The coordination, reporting, and monitoring functions have been assumed by MHSR, which Ministry delegated the role of National Rapporteur Equivalent Mechanism (**NREM**) in terms of Article 19 of the Directive to the Human Rights Directorate. The Coordination and Reporting duties are being fulfilled by the Units set up for the Project Management, Research and Coordination and Legal aspects, as a means to prevent and combat THB in Malta in a more comprehensive, effective, and efficient manner. A Trafficking in Persons Monitoring Group has been set up to monitor domestic human trafficking trends and the implementation of national anti-trafficking actions and measures, including the analysis of the measures' suitability within the domestic context, and it may also issue recommendations for further research or strengthening of the struggle against this offence. It shall also serve as another cog in the machine of the domestic national rapporteur equivalent mechanism.

- 2.2 The IMC shall act in line with and keep at heart in its work the principles enshrined in the Directive, the *Council of Europe Convention on Action against Trafficking in Human Beings* (the "**Convention**"), the *National Action Plan on Human Trafficking – January 2020 - December 2023* (the "**Action Plan**") and the *EU Strategy on Combatting Trafficking in Human Beings (2021-2025)* (the "**EU Strategy**").

### 3. Composition

- 3.1 This IMC shall comprise:
- a. One Chairperson;
  - b. One Vice-Chairperson;
  - c. One Focal Person from each relevant governmental stakeholder, and one substitute;
  - d. One Committee Secretary.
- 3.2 Given its role, HRIU and/or HRD personnel shall hold the roles of Chairperson, the Vice-Chairperson, and the Committee Secretary. A list of the individuals nominated to hold these three roles shall be annexed to these ToR (marked as "**Annex 1**") and regularly updated to reflect the current nominated personnel.
- 3.3 All the relevant Governmental Stakeholders (the "**Members**") shall nominate focal persons to sit on this IMC (the "**Focal Persons**"), who shall, due to the technical nature of this IMC, possess adequate levels of understanding of the offence, technical expertise, and experience in their respective field. Members shall nominate Focal Persons who are in a position to decide, or are delegated with such authority, on their behalf and be bound to act in compliance with the rules set out in these ToR. A list of the nominated Focal Persons, and their substitutes, shall be annexed to these ToR (marked as "**Annex 2**"). The Chairperson shall ensure that such a list is regularly updated to reflect the current nominated Focal Persons.

3.4 For THB combatting purposes, the following relevant Governmental Stakeholders have been identified (including any institution, department, agency, or body that falls within their respective remit and which may be deemed relevant by MHSR):

- a. MHSR (lead ministry);
- b. The Office of the Prime Minister;
- c. The Ministry for Justice;
- d. The Office of the Attorney General;
- e. The Office of the State Advocate;
- f. The Ministry for Health;
- g. The Ministry for Social Policy and Children’s Rights;
- h. The Ministry for Education, Sport, Youth, Research and Innovation;
- i. The Ministry for Foreign and European Affairs and Trade;
- j. The Ministry for Agriculture, Fisheries and Animal Rights;
- k. The Ministry for Gozo;
- l. The Ministry for the Economy, European Funds and Lands;
- m. The Ministry for the Environment, Energy, and Enterprise;
- n. The Ministry for Social and Affordable Accommodation;
- o. The Ministry for Finance and Employment;
- p. The Ministry for Active Aging;
- q. The Ministry for Inclusion, Voluntary Organisations and Consumer Rights;
- r. The Ministry for Tourism;
- s. The Ministry for the National Heritage, the Arts and Local Government;
- t. The Ministry for Public Works and Planning; and
- u. The Ministry for Transport, Infrastructure and Capital Projects.

## 4. Tasks

4.1 In order to fulfil its objectives, the **tasks of this IMC** shall be the following:

- a. To provide a platform to share information, experiences, and good practices on anti-trafficking activities to the Members;
- b. To bring a multi-disciplinary perspective to the State’s efforts to prevent and combat THB;
- c. To adopt and be guided by the core principles of the Directive, the Convention, the Action Plan, and the Strategy;
- d. To facilitate intra-governmental cooperation in combatting THB;
- e. To continuously receive data relating to THB from all Members through a comprehensive and coherent system of collection of reliable data, and to pool such data in a structured manner through a central database on THB;
- f. To assess the local trends in THB, and clearly identify key focal areas and questions for analysis, particularly but not limited to those that are specific to the domestic reality;
- g. To observe legislative processes and evaluate and disseminate case law relating to THB;

- h. To measure the results that are produced by the local anti-trafficking framework, including through the close cooperation with relevant civil society organisations active in this field;
- i. To monitor, assess, and analyse the effectiveness of the governmental interventions and measures;
- j. To formulate comprehensive and practice-oriented recommendations based on its assessments of trends, implementation, experiences, best practices, and the overall effectiveness of measures, thus ensuring the accurate targeting and effective adaptation of local anti-trafficking measures;
- k. To carry out reporting as necessary and in the manner and frequency prescribed by law, including a yearly report to MHSR on action in combating THB and the publication of final report on the implementation of the Action Plan;
- l. To regularly review and assess its work and adapt accordingly, with the aim to ensure a dynamic and adaptable structure which ensures the best approach to preventing and combatting THB and implementing the national and international legal obligations;

## 5. Duties of Members

### 5.1 The **Chairperson** shall:

- a. Coordinate and monitor the implementation of the action points of the Action Plan;
- b. Facilitate discussions in an open and respectful manner, hearing all opinions, engaging in healthy discussions, and seek to build consensus amongst IMC members;
- c. Represent the IMC in official functions, conferences, meetings, and external communications with the IMC membership;
- d. Lead arrangements for IMC meetings, including the notification to all IMC members of the date, time, and location of such meetings with sufficient prior notice, and the provision of the agenda of the relevant meeting;
- e. Carry out any tasks required to support the functioning of the IMC, as well as the implementation of the Action Plan;
- f. Assign specific action points related to the prevention or combatting of THB in line with the Action Plan to particular Members;
- g. Maintain records of the deliberations and work of the IMC;
- h. Prepare any reports in relation to the work carried out by the IMC;
- i. Elicit inputs by the IMC members on normative and policy developments;
- j. Table functional issues to be discussed by the IMC.

### 5.2 The **Vice-Chairperson** shall assist the Chairperson in its functions and act in the Chairperson's stead in cases of absence.

5.3 The **Committee Secretary** shall:

- i. assist the Chairperson and Vice-Chairperson in their functions;
- ii. keep minutes and attendance of all meetings;
- iii. circulate minutes electronically to all Members following each meeting;
- iv. be responsible for the administrative tasks of the IMC including solicit, collect, assemble, and distribute relevant information among IMC members, as required;
- v. be the responsible liaison person between the IMC and the Research and Coordination Unit within HRD, being the Unit responsible to coordinate with governmental and non-governmental entities and ensure the compilation of information, data and statistics in relation to THB for the purpose of fulfilling HRD's reporting and coordination functions.
- vi. be the responsible liaison person between the IMC and the Legal Unit within HRD, the latter of which shall be responsible to produce in accordance with these terms of reference, any legislation, policy, or research related to THB, and shall be responsible to assist in legislation and policy formulation or research ancillary to THB or the IMC when duly requested to do so by Members or any of their competent institutions or authorities.

5.4 Each **Member** of the IMC shall:

- a. Liaise and cooperate on any matters related to THB with the HRD;
- b. Promote the activities and overall work of the IMC and the principles found in the Directive, Convention, Action Plan, and Strategy;
- c. Contribute its best efforts to the implementation of the IMC action points from the Action Plan and following through in a timely manner on any commitments;
- d. Report on behalf of the main bodies falling within governmental and non-governmental organisations on matters related to THB as requested by the HRIU and the Research & Coordination Unit within the HRD, which is acting as the NREM pursuant to international, regional and European Union legally binding Instruments;
- e. Coordinate, including the compilation of data and information for the purposes of drafting the National Strategy, with national stakeholders, including non-governmental organisations, trade unions, research institutions, foundations, and academia to provide a detailed Ministerial Action Plan on the measures to be undertaken by the authorities, entities, departments, and organisations falling within their respective Ministries responsible to cooperate in the national fight against THB; and
- f. Adopt and adhere to the Data Protection principles emanating from law throughout all of the processes relating to referrals, reporting, or in any other function being undertaken to further the IMC's efforts.

5.5 Each **Focal Person** of the IMC shall:

- a. Liaise and cooperate on any matters related to THB with the HRD;
- b. Actively and regularly participate in IMC meetings and any discussions held by the IMC, including through casting their vote when the Chairperson orders that a poll is to take place;
- c. Contribute its best efforts to the implementation of the IMC action points from the Action Plan and following through in a timely manner on any commitments;
- d. Do their utmost to provide any information or data to the Chairperson which is directly related to THB offences, or upon request, including providing information or data to/from any competent person or body, without undue delay and in the forms prescribed by the leading Ministry (MHSR);
- e. Assume the responsibility to obtain the necessary clearances from their respective Ministries for any data and information transmitted for reporting purposes, proposals for measures and actions to be included in the Action Plan, projects, training, research & other initiatives which may serve MHSR for policy development and other initiatives for promotional purposes; and
- f. Adopt and adhere to the Data Protection principles emanating from law throughout all of the processes relating to referrals, reporting, or in any other function being undertaken to further the IMC's efforts; and
- g. Inform their relative Permanent Secretary on any information discussed in the IMC, which may directly or indirectly concern their respective Ministries and any public office falling under their portfolios.

5.6 Any reporting by the Members shall contain justifications for the method of investigation, the result of the research carried out and the conclusions based thereon, and when applicable, the recommendations to improve the prevention and fight against THB, which can be addressed to the central government, local government, and other administrative bodies, to international organisations, non-governmental organisations, and to other stakeholders.

5.7 The responsibility of Focal Persons to report shall be limited to internal coordination between all bodies within their respective Ministry and to reporting to HRD for any domestic strategy and action plan formulation and implementation and promotion thereof. Their cooperation will be required by HRD for reporting to third party organisations and Focal Persons shall cooperate with HRD when so required for such purposes. Any information requested by HRD's coordination unit must be cleared by the respective PDPI offices. For the sake of clarity, HRD shall remain solely responsible to report to the third-party organisation.

## 6. Conduct of Business

6.1 The Chairperson shall set the agenda of each meeting and propose a tentative time and date for each meeting. The Secretary shall communicate the data and agenda for each meeting to members in advance with sufficient prior notice unless it is impossible to do so due to the urgent nature of a particular meeting.

- 6.2 The IMC shall convene on a quarterly basis, either in person or virtually, as convenient. Additional meetings may be scheduled as required. Quorum shall be the attendance of a simple majority of Members, applicable to all meetings, but exceptions to this may be granted by the Chairman if deemed necessary due to the urgency of a particular meeting. The reasons for such exceptions shall be noted in writing.
- 6.3 The IMC shall hold physical meetings at least twice a year. The Secretary shall keep minutes and attendance of all meetings. Following each meeting, the Secretary shall circulate said minutes electronically to all Members.
- 6.4 All decisions taken in relation to commitments to be taken by the IMC and to alter the operations of this IMC, including through amendments of these Terms of Reference, shall be by consensus, which shall be noted in writing. The Chairperson shall facilitate discussions, call for objectives, voting, confirm the decision reached, and communicate such decision when required or deemed appropriate to do so by the Chairperson.
- 6.5 When compromised solutions cannot be achieved in the time frame available, a system of decision making by majority vote shall be used as a back-up model whenever the Chairperson deems it appropriate to do so.
- 6.6 When conflicts arise between Members of the IMC, the said parties may settle such conflict in either of the following ways:
- a. Discuss directly with each other, the Members with whom they experience difficulty, and aim to achieve an amicable compromised solution; and/or
  - b. Discuss directly with each other, with the assistance of the Chairperson and of a selected Member of the IMC who shall act as mediators aiming to reach an amicable compromised solution. The selection of the IMC Member who shall sit as mediator along with the Chairperson shall be made by MHSR prior to initiation of discussions.
- 6.7 Both parties in a conflict shall agree to the time for the meeting to hold discussions to allow for sufficient preparation time. IMC members shall be informed of the decision taken in the conflict if they are not present for such discussions.

## 7. Terms of Reference

- 7.1 This IMC shall remain so constituted as set out in these ToR until the IMC Members unanimously request to change these ToR in consultation with HRIU, HRD, and MHSR, or until such NRM is no longer required by relevant anti-trafficking legislation.

### **Annex 1: MHSR Nominations**

The following IMC roles shall be held by the individuals as described below:

1. Role of Chairperson – Dr Lynn Chircop Faure;
2. Role of Vice-Chairperson – Mr. Michael Camilleri;
3. Role of Committee Secretary – Dr. Jurgen Dingli assisted by Ms Maria Catania



## Annex 2: Stakeholders' Nominated Focal Persons

Ministry:	Member/Alternate Member:	Name and Surname	Designation	E-mail Address
HRD - MHSR	Chairperson	Lynn Chircop Faure	Senior Manager (Project Management)	<a href="mailto:lynn.chircop-faure@gov.mt">lynn.chircop-faure@gov.mt</a>
HRD - MHSR	Vice-Chairperson	Michael Camilleri	Director	<a href="mailto:michael.f.camilleri@gov.mt">michael.f.camilleri@gov.mt</a>
HRD - MHSR	Secretary	Jurgen Dingli	Junior Legal Officer	<a href="mailto:jurgen.dingli@gov.mt">jurgen.dingli@gov.mt</a>
HRD - MHSR	Admin Assistant	Maria Catania	Assistant Manager	<a href="mailto:maria.catania.2@gov.mt">maria.catania.2@gov.mt</a>
MFH	Member	Alexia Bezzina	RS in Public Health Medicine	<a href="mailto:alexia.bezzina@gov.mt">alexia.bezzina@gov.mt</a>
MFH	Alternate Member	Beatrice Farrugia	RS in Public Health Medicine	<a href="mailto:beatrice.a.farrugia@gov.mt">beatrice.a.farrugia@gov.mt</a>
MEYR	Member	Jean Carl Chircop	Manager 1	<a href="mailto:jean.carl.chircop@gov.mt">jean.carl.chircop@gov.mt</a>
OPM	Member	Claudine Sciberras	Director	<a href="mailto:Claudine.b.sciberras@gov.mt">Claudine.b.sciberras@gov.mt</a>
OPM	Alternate Member	Graziella Farrugia	Assistant Director	<a href="mailto:graziella.b.farrugia@gov.mt">graziella.b.farrugia@gov.mt</a>
MFJ	Member	Simone Mousu	Director PDPI	<a href="mailto:Simone.mousu@gov.mt">Simone.mousu@gov.mt</a>
MFJ	Alternate Member	Marlene Gatt	Asst Director	<a href="mailto:Marlene.gatt@gov.mt">Marlene.gatt@gov.mt</a>
MFET	Member	John Busuttil	Director	<a href="mailto:john-a.busuttil@gov.mt">john-a.busuttil@gov.mt</a>
MFET	Alternate Member	Maya Schembri	Counsellor	<a href="mailto:maya.schembri@gov.mt">maya.schembri@gov.mt</a>
MAFA	Member	Mark De Martino	Senior Manager	<a href="mailto:mark.de-martino@gov.mt">mark.de-martino@gov.mt</a>
MAFA	Alternate Member	Bjorn Azzopardi	Director	<a href="mailto:bjorn.a.azzopardi@gov.mt">bjorn.a.azzopardi@gov.mt</a>
MGOZ	Member	Angele Xerri Agius	Assistant Director	<a href="mailto:angele.xerri-agius@gov.mt">angele.xerri-agius@gov.mt</a>
MGOZ	Alternate Member	Josette Zerafa	Officer in Grade 5	<a href="mailto:josette.c.zerafa@gov.mt">josette.c.zerafa@gov.mt</a>
MEFL	Member	Francesca Tabone	Senior Policy	<a href="mailto:francesca.tabone@gov.mt">francesca.tabone@gov.mt</a>

			Manager (Falls under the responsibility of the Parliamentary Secretariat for EU Funds)	
<b>MEFL</b>	Member	Ramon Francalanza	Officer in Grade 6	<a href="mailto:ramon.francalanza@gov.mt">ramon.francalanza@gov.mt</a>
<b>MEFL</b>	Alternate Member	Brian Grima	Senior Manager	<a href="mailto:brian.c.grima@gov.mt">brian.c.grima@gov.mt</a>
<b>OSA</b>	Member	Andria Buhagiar	Deputy State Advocate (Falls under the ministry of Justice)	<a href="mailto:andria.buhagiar@stateadvocate.mt">andria.buhagiar@stateadvocate.mt</a>
<b>MSPC</b>	Member	Svetlana Buttigieg	Service Manager - Agenzija Appogg	svetlana.buttigieg@gov.mt
<b>MSPC</b>	Member	Graziella Castillo	Director - Agenzija Appogg	graziella.castillo@gov.mt
<b>MEEE</b>	Member	Terence Borg	Assistant Director, PDPID	<a href="mailto:terence.borg.1@gov.mt">terence.borg.1@gov.mt</a>
<b>MEEE</b>	Alternate Member	Christopher Mizzi	Senior Manager PDPID	<a href="mailto:christopher.mizzi.4@gov.mt">christopher.mizzi.4@gov.mt</a>
<b>MHSR</b>	Member	Joseph St. John	Officer in Scale 4, Office of the Permanent Secretary	<a href="mailto:joseph.st-john@gov.mt">joseph.st-john@gov.mt</a>
<b>MHSR</b>	Alternate Member	Stephanie Bason	Director PDPI	stephanie.bason@gov.mt
<b>MSPC/M SAA</b>	Member	Jonathan Silvio	Director (PDPI), MSPC/MSAA	<a href="mailto:jonathan.a.silvio@gov.mt">jonathan.a.silvio@gov.mt</a>

<b>MFE</b>	Member	Diane Muscat	Director (PDPID)	<a href="mailto:diane.m.muscat@gov.mt">diane.m.muscat@gov.mt</a>
<b>MFE</b>	Alternate Member	Roberta Gauci	Assistant Director (PDPID)	<a href="mailto:roberta.pace@gov.mt">roberta.pace@gov.mt</a>
<b>MFAA/ MIVC</b>	Member	Anne Farrugia	Senior Research Officer	<a href="mailto:anne-therese.farrugia.1@gov.mt">anne-therese.farrugia.1@gov.mt</a>
<b>MFAA/ MIVC</b>	Alternate Member	Francesca Muscat	Director PDPI	<a href="mailto:francesca.muscat-camilleri@gov.mt">francesca.muscat-camilleri@gov.mt</a>
<b>MFT</b>	Member	Kim Vella	Senior Executive Officer	<a href="mailto:kim.vella@gov.mt">kim.vella@gov.mt</a>
<b>MHAL</b>	Member	Matthew Farrugia	Manager II PDPI	<a href="mailto:matthew.farrugia@gov.mt">matthew.farrugia@gov.mt</a>
<b>MTIP</b>	Member	Lucienne Meilak	Director	<a href="mailto:lucienne.meilak@gov.mt">lucienne.meilak@gov.mt</a>
<b>MTIP</b>	Alternate Member	Prof. David Attard	Director - Maritime Security Compliance & Port Security Officer, TM	<a href="mailto:david.d.attard@transport.gov.mt">david.d.attard@transport.gov.mt</a>
<b>MPWP</b>	Member	Lucienne Meilak	Director	<a href="mailto:lucienne.meilak@gov.mt">lucienne.meilak@gov.mt</a>
<b>MPWP</b>	Alternate Member	Donna Borg Micallef	Assistant Director	<a href="mailto:donna.borg-micallef@gov.mt">donna.borg-micallef@gov.mt</a>
<b>OAG</b>	Member	Ramon Bonett Sladden	Lawyer Prosecution Unit Office of the Attorney General	<a href="mailto:ramon.bonett-sladden@attorneygeneral.mt">ramon.bonett-sladden@attorneygeneral.mt</a>